

### **REMARKS**

Claims 13-25 are pending. In an Office Action mailed March 7, 2007, claims 13, 14, 17 and 19-24 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,794,210 to Goldhaber et al. ("Goldhaber"), and claims 15, 16, 18, 20 and 22 were rejected as unpatentable over Goldhaber in view of U.S. Patent No. 5,933,811 to Angles ("Angles"). Claims 1-12 were previously withdrawn in response to a restriction requirement. By this Amendment, claims 13-24 are amended, previously-withdrawn claims 1-12 are canceled, and claim 25 is new. No new matter has been added.

Claim 13 recites a direct connect server that, *inter alia*, generates a request for creative message as a function of the creative selection criteria. The request is generated in response to a user request to receive non-advertising content and at least one redirect command from a content server. As a specific, non-limiting example, a user may request a web page from a content provider, such as a news source. The requested web page may include a redirect command to redirect part of the user's request to the direct connect server. For example, the redirect may be associated with a portion of the web page in which an advertisement is to be displayed. The direct connect server may then proceed to generate a request as recited in the claim.

In contrast, Goldhaber does not describe generating a request for creative message in response to a user request as required by the claims. Goldhaber's system identifies advertisements that users might want to view or be willing to view. *See, e.g.*, col. 14, line 58 – col. 15, line 30. These advertisements are categorized as "negatively priced information," meaning that the user is paid to view the advertisement. Col. 10, lines 39-57; col. 11, lines 8-24; col. 16, lines 6-16. Ads are selected for display to a specific user based on the user's profile. *Id.* Thus, each advertisement is sent to the user only in response to a user request to view the advertisement. There is no suggestion that the advertisements are sent to the user in response to a request for non-advertisement content and/or a redirect command as required by the claims.

Angles fails to remedy the defects of Goldhaber described above. Specifically, Angles does not teach or suggest a request for creative message generated in response to a user request to receive non-advertising content and at least one redirect command from a content server, where the redirect command is configured to direct the user to the direct connect server. Thus,

whether taken alone or in combination, Goldhaber and Angles fail to render the claims obvious and claims 13-25 are patentable over the cited art. Withdrawal of the rejections and reconsideration of the claims is respectfully requested.

Based on the above remarks, Applicants believe the claims are in condition for allowance. The Commissioner is authorized to charge any fees or credit any overpayment to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

Respectfully submitted,

Date: September 7, 2007

/ASKamlay/  
Aaron S Kamlay  
Reg. No. 58,813

KENYON & KENYON LLP  
1500 K Street, NW  
Washington D.C. 20005  
Direct Dial: (202)-220-4256  
Fax: (202)-220-4201